

MANDATE
United States Court of Appeals
For the First Circuit

05-10414
USDC/MA
Tavoro, J.

No. 05-1617

LARRIANTE SUMBRY,
Petitioner, Appellant,
v.
CECIL DAVIS,
Respondent, Appellee.

Before
Boudin, Chief Judge,
Campbell and Stahl, Senior Circuit Judges.

JUDGMENT

Entered: December 12, 2005

The district court denied IFP status on the ground that any appeal would be frivolous. Appellant now asks this court for IFP status, but has not explained why his appeal is not frivolous. Having now reviewed the record, we agree with the district court's April 12, 2005 order of dismissal. We deny appellant's motion to proceed in forma pauperis and summarily affirm the judgment of dismissal for the reasons stated in the April 12, 2005 order.

Affirmed.

**Certified and Issued as Mandate
under Fed. R. App. P. 41.**

Richard Cushing Donovan, Clerk

George Rector
Deputy Clerk

Date: 1/18/06

By the Court:

Richard Cushing Donovan, Clerk.

MARGARET CARTER

By: _____
Chief Deputy Clerk.